IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

WP(C).No. 13236 of 2006(A)

PETITIONER:

HAMSA, S/O.MOIDUNNI, AMBALATHU VEEDU,
AKALOOR P.O. LAKKIDI PERUR NO.II.VILLAGE,
OTTAPPALAM TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:

1. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, OTTAPPALAM.

2. THE OTTAPPALAM CO-OPERATIVE URBAN BANK LTD., NO.1647, OTTAPPALAM, PALAKKAD DISTRICT, REPRESENTED BY ITS GENERAL MANAGER.

3. THE SPECIAL SALE OFFICER, OTTAPPALAM CO-OPERATIVE URBAN BANK LTD.NO.1647, OTTAPPALAM, PALAKKAD.

4. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, KERALA, OFFICE OF THE REGISTRAR OF CO-OPERARTIVE SOCIETIES, TRIVANDRUM.

BY ADV. SRI.M.V.BOSE for R2
SMT.NISHA BOSE
SRI.VINOD MADHAVAN
SENIOR GOVERNMENT PLEADER, SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 13236 of 2006(A)

APPENDIX

EXT.P1 TRUE TYPED COPY OF THE CIRCULAR NO.9/05 DATED 27/02/2006 ISSUED BY THE REGISTRAR OF CO-OPERATIVE SOCIETIES

EXT.P2 TRUE COPY OF THE STATEMENT OF ACCOUNTS AS ON 12/04/2006 ISSUED BY THE PATHIRIPALA BRANCH MANAGER OF THE 2ND RESPONDENT BANK

EXT.P3 TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT SEEKING TO EXTEND THE BENEFIT OF ONE TIME SETTLEMENT DATED 12/03/2006.

\\TRUE COPY//

J.M.JAMES, J.

- - - - - - - - - - - - - - - - - - -

W.P.(C) No. 13236 of 2006 (A)

- - - - - - - - - - - - - - - - - - -

Dated this the 2nd day of February, 2007

J U D G M E N T

The defaulted writ petitioner is before this Court praying that he may be extended the benefits of an one time settlement scheme. The counsel for the second respondent, Ottappalam Co-operative Urban Bank Ltd., No.1647, submits that, the one time settlement facilities are not available to the urban banks. However, it is further submitted that the writ petitioner can be extended with certain instalment facilities and exemption to the rate of interest.

2. Without entering into any discussion on the merit of the matter, I dispose of this writ petition with a direction to the writ petitioner to file a representation within ten days from today, before the second respondent. On receipt of the above representation, the second respondent shall hear the writ petitioner and dispose of the representation, extending the facilities available as per the scheme that is being followed by the bank, in similar situations. This shall be done within three weeks from the date of receipt of the representation.

Sd/-
(J.M.JAMES)
Judge

ms